

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

PAUL H. DUBOIS,

Plaintiff,

v.

MARK CLARKE,

Defendant.

Case No. 09-cv-958-JPG-DGW

MEMORANDUM AND ORDER

This matter comes before the Court on the Court's September 13, 2012, order to show cause why this case should not be dismissed without prejudice for failure to timely effect service (Doc. 2). DuBois did not respond to the order to show cause. Accordingly, as it warned it would do, the Court **DISMISSES** this case **without prejudice** pursuant to Federal Rule of Civil Procedure 4(m) and **DIRECTS** the Clerk of Court to close this case.

IT IS SO ORDERED.

DATED: October 4, 2012

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE